

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER

MARCH 16, 2017

1:30 P.M.

1. Approve the minutes of the March 2, 2017 Planning and Zoning Commission meeting
2. CASE FILE NO. 2017-04-SUP
Open a public hearing to consider approval of the request by Odessa Housing Finance Corporation, owner, Eco-Site/T-Mobile, agent for Specific Use Permit to allow a 75 ft. monopole telecommunications tower and unmanned equipment structure in a Planned Development-Retail (PD-R) Zoning District, Lot 1, Block 1, Hilldale Addition (3811 N. Dixie)
3. CASE FILE NO. 2017-05-SUP
Open a public hearing to consider approval of the request by Guardian Storage and Car Wash LLC, owner, Eco-Site/T-Mobile, agent for Specific Use Permit to allow a 150 ft. monopole telecommunications tower and unmanned equipment structure in a Retail (R) Zoning District, Lot 4, Block 30, University Gardens, 6th. Filing (5136 E. University)
4. CASE FILE NO 2017-16-P
Consider approval of the Road Dedication Plat (Arroyo Road) being approximately 5.94 acre tract located in Section 8, Block 41, T-2-S T&P RR Co. Survey Odessa, Ector County, Texas
5. CASE FILE NO. 2017-17-P
Open a public hearing to consider approval Banks Addition, 2nd Filing, being a replat of Lots 1 - 6, Block 1, Banks Addition, and a portion of Tract 3, Roy T. Minear Subdivision (southeast of the intersection of Clements St. and S. Jackson Ave.)

6. CASE FILE NO. 2017-18-P(ETJ)
Open a public hearing to consider approval of the replat of Lot 9, Block 1, Westmoor Acres (southeast of the intersection of W. 29th St. and N. Redondo Ave.)
7. CASE FILE NO. 2017-19-P(ETJ)
Open a public hearing to consider approval of Southwest Industrial Sites, 2nd Filing, being a replat of Lots 9 and 10, Block 6, Southwest Industrial Sites (northwest of the intersection of McCormick St. and Einstein Ave.)
8. Other business
9. Adjourn

AGENDA
PLANNING AND ZONING COMMISSION
COUNCIL CHAMBER

MARCH 2, 2017

1:30 P.M.

1. Approve the minutes of the February 16, 2017 Planning and Zoning Commission meeting
2. CASE FILE NO. 2017-03-Z
Open a public hearing to consider approval of the request by Burnett Construction-John Burnett, owner, to amend an existing site plan for a Planned Development-Single Family (PD-SF) zoned area, a 35.72 area tract of land situated in a portion of Section 15 & 16 Block 41, T-2-S, T&P R.R. CO. Survey, Midland County, Texas, (800 ft. NW of the intersection of N. Faudree Rd. and Fairway Dr.).
3. CASE FILE NO 2017-12-P
Consider approval of the preliminary plat of Rolling Winds, being a 35.6 acre tract located in Section 16, Block 41, T-2-S, T&P R.R. Survey, Odessa, Midland County, Texas (800 ft. northwest of the intersection of N. Faudree Rd. and Fairway Dr.)
4. CASE FILE NO. 2017-13-P
Open a public hearing to consider approval of the replat of Lot 5, Block 4, Dos Playas, 5th Filing (northeast of the intersection of E. 42nd St. and Preston Smith Rd.)
5. CASE FILE NO. 2017-14-P(ETJ)
Open a public hearing to consider approval of the replat of Lot 6, Block 4, OI DC Park Addition (southeast of the intersection of Navasota Dr. and OI DC Dr.)
6. CASE FILE NO. 2016-51-P
Consider approval of the final plat of North Park Addition, 17th Filing, being approximately a 15.89 ac. tract in Section 34, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of E. 100th St. and Sagebrush Ave.)
7. CASE FILE NO. 2016-52-P
Consider approval of the final plat of North Park Addition, 18th Filing, being approximately a 11.61 ac. tract in Section 34, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of E. 100th St. and Evans Blvd.)
8. Other business
9. Adjourn

Be it said and remembered that at 1:30 p.m. on the 2nd day of March, 2017 there came on and was held a Planning and Zoning Commission meeting in the Council Chamber, 5th Floor, 411 W. 8th St., Odessa, Texas.

MEMBERS PRESENT: Gary Sims, Chairman
Renee Earls
Anabel Spencer
Steve Tercero

MEMBERS ABSENT: Katherine Kirk
Jimmy Peacock

OTHERS PRESENT: Randy Brinlee, Director of Planning and Development; Sherry Bailey, Planner; Joe Tucker, Civil Engineer; Vanessa Shrauner, Development Services Manager; Larry Long, City Attorney; and Anne Roney, Secretary.

The minutes of the February 16, 2017 Planning and Zoning Commission meeting were approved, motion for approval being made by Member Tercero, seconded by Member Spencer, with the vote being a unanimous "aye".

CASE FILE NO. 2017-03-Z (approved with conditions)

Open a public hearing to consider approval of the request by Burnett Construction-John Burnett, owner, to amend an existing site plan for a Planned Development-Single Family (PD-SF) zoned area, a 35.72 area tract of land situated in a portion of Section 15 & 16 Block 41, T-2-S. T&P R.R. CO. Survey, Midland County, Texas, (800 ft. NW of the intersection of N. Faudree Rd. and Fairway Dr.).

Ms. Bailey gave the following presentation: There were 51 notices mailed to surrounding property owners, with no notices returned, 1 written protest and 2 written approvals.

The property involved in this request is located 800 ft. NW of the intersection of N. Faudree Rd. and Fairway Dr., is zoned Planned Development-Single Family (PD-SF) and is currently vacant. There is residential development to the west, south and north with vacant commercially zoned land to the east.

The applicant is Burnett Construction, John Burnett –owner and the purpose of the amended site plan is to develop a quality single family residential development.

The amended site plan has been submitted indicating the development of 102 lots on approximately 35.72 acres. The originally approved site plan had 166 lots averaging 5,000 sq. ft. The amended site plan will have lots ranging in size from 8,000 sq. ft. to 11,000 sq. ft. The building setbacks, include 20 ft. front yard, 5 ft. side yard (10 ft. adjacent to the side street on a corner lot) and zero rear yard adjacent to an alley. Proposed height maximum is two and one half stories except for lots 28 through 36 which will be limited to one story in height. Lot coverage will be limited to 60% for a total of all structures.

There are two ingress and egress streets into the development with one directly connecting to Faudree Rd. and the second connecting through Venezia Estates Addition to the north via Verona Drive maintaining the connectivity required in the City of Odessa Comprehensive Plan.

Based upon the preceding analysis, Staff recommends approval of the amended site plan request.

There being no questions or comments for City Staff, Chairman Sims opened the public hearing.

Mr. John Landgraf, applicant's representative, stated he was available to answer any questions. He also mentioned Mr. Burnet has agreed to limit the houses along the south side to one story. Mr. Earls stated there was a comment from one of the responses in the

Castle Ridge area to limit the houses on the west to one story. Mr. Landgraf pointed out there is a 20' alley on both properties (40' total) as well as a 40' drainage easement. Ms. Earls asked if it would be agreeable to limit to a single story in the whole development. Mr. Brinlee stated there is nearly 100' separation between this development and Castle Ridge. He also mentioned Castle Ridge has a side yard facing this proposed development. Mr. Landgraf stated to the east of the proposed development is all commercial. Mr. Sims stated there are two story homes in the surrounding developments.

Mr. Chris Cagle, 4 Florence Dr., approached the lectern. He mentioned there are high wire lines between the development he lives in and the proposed development. He stated he would like to see the same type of development as what is existing in the area.

Ms. Spencer asked if there were plans to build two-story homes. Mr. Landgraf stated the property owners along the south were the only ones who asked for a one story limitation. He pointed out this requirement goes back to the original approved site plan for this area. The new developer wants to build larger lots and would like to construct the homes similar to what is in the Venezia subdivision. Mr. Brinlee stated the zoning is for single family and they could build a two story home if they choose. Mr. Landgraf stated this subdivision will be custom built lots. Mr. Brinlee stated this request is a Planned Development area. The surrounding neighborhoods can build up to 2½ stories. The Planning Commission will make a recommendation to the City Council. Mr. Sims stated the surrounding neighborhoods can build 2½ stories. If this development is restricted to one story he felt it would be a problem. Ms. Spencer stated the surrounding property owners have raised their concerns. Mr. Brinlee pointed out the separation between this proposed subdivision and the subdivision to the north is 200' and to the west is 140'. Most of the time there is only a 40' separation distance. In this area there have the setbacks and easements for separation. Mr. Brinlee stated the only reason this area was zoned Planned Development was the original plans called for smaller lots. This request is decreasing 160 lots to 102 lots.

Mr. Konrad Hildebrandt, 7610 Castle Verde, approached the lectern. He felt it was a great benefit to reduce the number of lots. The new master plan has placed an emphasis on beautifying neighborhoods. The developer is proposing to change their plans for one story for the Country Club area. They have no back yard and no windows facing the proposed development. He has no objection to this area being developed but would like it to be consistent with the quality of homes in the surrounding neighborhoods. There are only 2 ingress and egress points planned for this development. He stated there are people who are using the drainage area and felt a block wall would prevent people from going into the Castle Ridge area. He also did not know if they were planning to pave the alleys. Mr. Hildebrandt stated the Castle Ridge area has a Homeowner's Association. He also stated the drainage channel belongs to the City. He mentioned the entryway off of Faudree for this subdivision and asked who will maintain and beautify the entrance. He was also concerned with people using the drainage channel as an entryway into the surrounding neighborhoods.

Mr. Tercero asked where his home was located, with Mr. Brinlee indicating the area on the map. Mr. Long asked how high Mr. Hildebrandt thought a block wall would need to be constructed, being told 8'. Mr. Tercero asked if this area would have roll-out containers for trash, with Mr. Brinlee indicating they would. There will also be an alleyway and a drainage channel. Mr. Brinlee stated he did not know if the proposed subdivision will have a Homeowners' Association. He asked if a fence was built, who would maintain it. He also pointed out landscaping is not a requirements for a residential area. The retail area on the east side of the development will have a landscape requirement. Ms. Bailey stated the concrete areas leading into the drainage channel are paved and are very steep.

Ms. Deanna Hildebrandt approached the lectern. She stated the drainage channel ends at Canterbury. Ms. Spencer asked if Ms. Hildebrandt would also recommend a wall, being told that was correct. Mr. Landgraf stated the residents in Castle Ridge want a wall then they should build it. The proposed development will have fences. The separation between the two subdivisions consists of an alley, the drainage channel and then another alley. All of the lots will be fenced. He also stated these lots are very comparable in size to the lots in Venezia Estates. Ms. Spencer asked if Venezia Estates had a wall, with Ms.

Hildebrandt stating there is a wall all the way around. Mr. Landgraf stated the simplest solution to prevent traffic in the drainage channel would be to place bollards in the channel. The concrete areas were placed to address erosion concerns. A bollard would be a steel post with concrete in it. Mr. Brinlee pointed out there are curbs going into the Castle Ridge subdivision. Mr. Landgraf stated if the City does not place bollards the developer would.

Mr. J. D. Cotton approached the lectern. He stated he was on the Board at Castle Ridge. He pointed out the drainage channel is a problem. There are many people who use the drainage for traffic. He does not object to the subdivision, but he does object to the people who would use the drainage channel to get into the Castle Ridge area. On the north side of the proposed subdivision is a utility easement which has signs stating "No Trespassing". Many times these signs are run over.

Ms. Spencer asked about the idea of placing bollards. Mr. Cotton stated there are already posts at one end and people are still getting into the drainage channel. He felt they would have to build a wall. Ms. Earls asked if the people in Castle Ridge have considered building anything. Mr. Cotton stated they have talked to TXU for some kind of barrier. He also stated they have a lot of trash and debris that goes into the drainage channel. Ms. Spencer stated there have been many concerns stated and asked what the Commission options were. Mr. Long stated they Commission could consider the ingress and egress for this development. The City is trying not to place too many restrictions on developers. It was only because of the density for the original proposal this area is even zoned Planned Development. Ms. Spencer stated there have been different proposals. Mr. Sims stated he would recommend tabling the request to work out some of the different proposals. Ms. Spencer agreed tabling the request would give the City and the developer time to work things out.

Member Earls moved the request be tabled.

Mr. Tercero asked if the Commission could approve the request with the condition they subdivisions work everything out. Mr. Brinlee stated it would need to be up to the subdivisions if it were approved with that condition. Mr. Brinlee then asked Mr. Landgraf what their timetable was. Mr. Landgraf stated it would slow the process down by two weeks. He stated the big issue seems to be the traffic driving through the drainage channel and entering the Castle Ridge subdivision. The drainage channel belongs to the City. The concrete sections were placed in the drainage channel when Venezia Estates was developed as part of the drainage for the area. Ms. Spencer felt the recommendation to place the bollards would help. Ms. Hildebrandt stated there is usually an alley and the houses back up to each other. In this case their houses front so they can look into the rear yards of the proposed development. Mr. Brinlee stated there is an existing site plan for this property which has been approved. The applicant could develop the property based on that site plan. Ms. Spencer stated Castle Ridge also needs to step up and take some action to solve the problems that were brought up.

Ms. Sandra Cagle, 4 Florence Dr., approached the lectern. She stated they were the only property owners in Venezia Estates who were part of the notification area. She does not want this proposed subdivision going back to the original approved site plan of 166 homes. She is concerned with the lots overlooking the rear yard. She also agrees with the concerns of the traffic. She pointed out there are homes with small children along one of the access ways into the proposed development. She felt two story homes should not be allowed around the perimeter of the proposed subdivision.

Ms. Spencer stated if the Commission places too many conditions on approval the developer would go back to the original approved site plan. Ms. Cagle stated there should be some continuity between the three subdivisions. Ms. Spencer stated the agent could convey the concerns to the applicant.

There being no further questions or comments, Chairman Sims closed the public hearing.

The Commission was reminded there was a motion made to table this request. The motion died for lack of a second. Member Spencer moved the amendment to the site plan be approved with the following conditions:

1. Building setbacks are 20 ft. front yard, 5 ft. side yard (10 ft. adjacent to the side street on a corner lot) and zero rear yard adjacent to an alley.
2. Maximum height is two and one half stories (2½) except for Lots 28-36, Block 2, which will be limited to one (1) story,
3. Lot coverage will be limited to 60% for a total of all structures.
4. Bollards be placed into the drainage channel to prevent vehicle access.
5. Adoption of the site plan.

Member Tercero seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO 2017-12-P (approved)

Consider approval of the preliminary plat of Rolling Winds, being a 35.6 acre tract located in Section 16, Block 41, T-2-S, T&P R.R. Survey, Odessa, Midland County, Texas (800 ft. northwest of the intersection of N. Faudree Rd. and Fairway Dr.)

Ms. Bailey gave the following presentation: The property involved in this request is located approximately 800 feet northwest of the intersection of N. Faudree Rd. and Fairway Dr., is zoned Planned Development –Single Family (PD-SF) and is currently vacant.

The applicant is Burnett Construction-John Burnett, owner, LCA Engineering, agent, and the purpose of the request is to create 102 single family residential lots (7,995 sq.ft. to 14,360 sq.ft.) for development purposes.

A platting conference was held on February 21, 2017 where city staff and the applicant's representative were present. The following items were discussed with those present concerning the replat.

Staff Comments:

- Original tax/ownership certificates are needed prior to the recording of the plat.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- An Improvements Agreement will be required.
- Water, sewer, paving and drainage plans need to be submitted for review and approval.
- Any work in the City right of way or easements will require a permit from the Engineering Division and must comply with current Ordinances and policies.

The replat is ready for Commission approval as noted above.

There being no questions or comments, Member Tercero moved the preliminary plat be approved as presented. Member Spencer seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2017-13-P (approved with conditions)

Open a public hearing to consider approval of the replat of Lot 5, Block 4, Dos Playas, 5th Filing (northeast of the intersection of E. 42nd St. and Preston Smith Rd.)

Ms. Bailey gave the following presentation: the property involved in this request is located northeast of the intersection of E. 42nd St. and Preston Smith Rd. The site is currently zoned Retail- One (R-1) and is currently vacant. Land use in the general area consists of a church development to the north, retail development and related use to the west and south, and vacant land to the east.

The applicant is Herbert Graham, owner, and the purpose of the request is divide one lot into two (2) lots to facilitate development and for ownership purposes.

A platting conference was held February 21, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- Preliminary needs to be removed from the title of the plat.
- Title of plat needs to be corrected to Dos Playas 4th Filing.
- Proposed lots need to be identified as Block 4, Lots 7 and 8.
- A separate signature block needs to be provided for Planning Director and Planning Commission Chairman.
- The mylar needs to be submitted in the size of 18" x 24".
- Easements need to have recording information shown on the face of plat.
- A blanket refuse collection easement is noted on the plat.
- Water and sewer are available for extension. No pro rata is due.
- An Improvements Agreement will be required.
- Utility plans need to be submitted for review and approval.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Any work in the right of way or easements will require a permit from the Engineering Division and must comply with current City Ordinances and policies.

Commission action is requested on the following items:

1. Proposed 25' access easements needs to be paved prior to development.
2. Floodplain delineation needs to be shown on plat.

There being no questions for City Staff, Chairman Sims opened the public hearing. Ms. Earls asked if this property was located immediately south of the former Grahams location, being told that was correct. With no one coming forward to speak for or against the request, Chairman Sims closed the public hearing.

Member Earls moved the replat be approved with the following conditions:

1. Proposed 25' access easements needs to be paved prior to development.
2. Floodplain delineation needs to be shown on plat.

Member Tercero seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2017-14-P(ETJ) (approved)

Open a public hearing to consider approval of the replat of Lot 6, Block 4, OI DC Park Addition (southeast of the intersection of Navasota Dr. and OI DC Dr.)

Ms. Bailey gave the following presentation: The property involved in this request is located southeast of the intersection of Navasota Dr. and OI DC Dr. The site is located outside the city limits in Odessa's Extra-Territorial Jurisdiction (ETJ) does not have a zoning designation and is currently vacant. Land use in the general area consists of industrial development to the north and west, and vacant land to the south and east.

The applicants are Kelly and Beverly Evans, owners, and the purpose of the request is divide one lot into three (3) lots to facilitate development and for ownership purposes.

A platting conference was held February 21, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- A signature block is needed for Ector County Public Works.
- A blanket refuse collection easement is needed on the plat.
- Water and sewer extension are available thru Industrial District contract. No pro rata is due.
- An Improvements Agreement will not be required.
- Any work in the right of way or easements will require a permit from the Engineering Division and must comply with current Ordinances and policies.

The plat is ready for Commission approval as noted above.

There being no questions or comments for City Staff, Chairman Sims opened the public hearing. With no one coming forward to speak for or against the request, Chairman Sims closed the public hearing.

Member Tercero moved the replat be approved as presented. Member Spencer seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2016-51-P (approved with conditions)

Consider approval of the final plat of North Park Addition, 17th Filing, being approximately a 15.89 ac. tract in Section 34, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of E. 100th St. and Sagebrush Ave.)

Ms. Bailey gave the following presentation: The property involved in this request is located southwest of the intersection of E. 100th St. and Sagebrush Ave. The site is currently zoned Planned Development-Single Family (PD-SF) and Planned Development-Single Family-Drill Reservation (PD-SF-DR), and is vacant. Land use in the general area consists of residential property to the south and west and vacant land to the north and east.

The applicant is Real Property Resources owner, and the purpose of the request is to create 32 single family residential lots (5,725 to 16,310 sq. ft.), create a drill reservation, and for ownership purposes.

The Planning and Zoning Commission gave preliminary approval of this request on November 17, 2016 with the following conditions:

1. Side entry garages required on major thoroughfares. Reverse traffic onto thoroughfares will not be allowed. (Block 62, Lots 15 and 16) and needs to be noted on the plat. (Public Works and Planning)
2. No access shall be permitted off of E. 100th St. for Block 48, Lot 12, Block 49, Lot 19, Block 62, Lots 1 and 14 and needs to be noted on the plat. (Public Works and Planning)
3. 100th Court on the North Park 17th Filing is similar in naming convention with E. 100th Street located within the city limits of Odessa. Recommendation is for consideration to be given for a new street name to avoid any potential confusion for emergency response teams. (Ector County 911)

These conditions have been met and the final plat is ready for Commission approval.

There being no questions or comments, Member Earls moved the final plat be approved with the following conditions:

1. Side entry garages required on major thoroughfares. Reverse traffic onto thoroughfares will not be allowed. (Block 62, Lots 15 and 16) and needs to be noted on the plat.
2. No access shall be permitted off of E. 100th St. for Block 48, Lot 12, Block 49, Lot 19, Block 62, Lots 1 and 14 and needs to be noted on the plat.
3. 100th Court on the North Park 17th Filing is similar in naming convention with E. 100th Street located within the city limits of Odessa. Recommendation is for consideration to be given for a new street name to avoid any potential confusion for emergency response teams.

Member Tercero seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2016-52-P (approved with conditions)

Consider approval of the final plat of North Park Addition, 18th Filing, being approximately a 11.61 ac. tract in Section 34, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of E. 100th St. and Evans Blvd.)

Ms. Bailey gave the following presentation: The property involved in this request is located at the southwest corner of E. 100th St. and Evans Blvd. The site is currently Planned Development-Single Family (PD-SF) and Planned Development- Single Family-Drill Reservation-Surface Drainage (PD-SF-DR-SD), and is vacant. Land use in the general area consists of residential property to the south and west and vacant land to the north and east.

The applicant is Real Property Resources owner, and the purpose of the request is to create 43 single family residential lots (5,600 – 13,265 sf. Block 31 4,050 – 4,710 sf. Block 63) and create a drill reservation.

The Planning and Zoning Commission gave preliminary approval of this plat on December 1, 2016 with the following conditions:

1. No access shall be permitted off of E. 100th St. for Block 31, 77-83, and Block 63, Lot 13, needs to be noted on the plat. (Public Works and Planning)
2. No access shall be permitted off of Evans Blvd for Block 31, Lot 54, needs to be noted on the plat. (Public Works and Planning)

3. Northeast portion of the site is in a special flood hazard area and needs to be noted on the face of the plat. (Public Works)

These conditions have been met and the final plat is ready for Commission approval.

Ms. Spencer asked if a representative for this request was present, being told there was not. Ms. Spencer stated she was concerned with the density of the area and there were no parks for this area. Ms. Bailey stated Betenbough Homes has indicated they will be coming forward with another request and parks will be discussed at that time.

Member Tercero moved the final plat be approved with the following conditions:

1. No access shall be permitted off of E. 100th St. for Block 31, 77-83, and Block 63, Lot 13, needs to be noted on the plat.
2. No access shall be permitted off of Evans Blvd for Block 31, Lot 54, needs to be noted on the plat.
3. Northeast portion of the site is in a special flood hazard area and needs to be noted on the face of the plat.

Member Earls seconded the motion with the vote as follows: Members Earls, Sims and Tercero – "aye"; Member Spencer – "nay".

Chairman Sims mentioned Jimmy Peacock, Planning and Zoning Commissioner, is facing treatment for cancer and to keep him in their prayers.

There being no further business to come before the Commission the meeting was adjourned at 2:47 p.m.

Anne Roney, Secretary, placed the minutes in the Minute Book on March 2, 2017

Gary Sims, Chairman